Environmental Management Site-Specific Advisory Board Chairs' Meeting
Meeting Summary
March 18-19, 2009
Augusta, Georgia

The Environmental Management (EM) Site-Specific Advisory Board (SSAB) met on March 18-19, 2009, at the Augusta Marriott in Augusta, Georgia. The Savannah River Site's (SRS) Citizen's Advisory Board (CAB) hosted the meeting. Participants included EM SSAB members and officers, Department of Energy (DOE) Headquarters (HQ) and field staff, and EM SSAB federal coordinators, administrators, and support staff. The meeting was facilitated by Ms. Jenny Freeman.

Participants:

- Hanford Advisory Board: Susan Leckband, Chair; Shelley Cimon, Member; Lori Gamache, Federal Coordinator
- Idaho National Laboratory Site EM Citizens Advisory Board: R.D. Maynard, Chair; Tami Sherwood, Member; Harrison Gerstlauer, Member; Nicki Karst, Member; Bob Pence, Federal Coordinator; Lisa Aldrich, Contractor Support Staff; Ceri Chapple, Contractor Support Staff; Lori Isenberg, Facilitator
- Nevada Test Site Community Advisory Board: Walt Wegst, Vice-Chair; Kelly Snyder, Deputy Designated Federal Officer (DDFO); Denise Rupp, Administrator
- Northern New Mexico Citizens Advisory Board: J.D. Campbell, Chair; Ralph Phelps, Vice Chair; Christina Houston, Federal Coordinator; Menice Santistevan, Contractor Support Staff
- Oak Ridge Site-Specific Advisory Board: Steve Dixon, Chair; Ted Lundy, Vice Chair; Darryl Bonner, Member; Edward Juarez, Member; Pat Halsey, Federal Coordinator; Spencer Gross, Contractor Support Staff
- Paducah Gaseous Diffusion Plant EM SSAB: Bobby Ann Lee, Chair; Judy Clayton, Chair-Elect; Robert Smith, Federal Coordinator; Eric Roberts, Contractor Support Staff
- Portsmouth Gaseous Diffusion Plant EM SSAB: Val Francis, Co-Chair; Richard Snyder, Co-Chair; David Kozlowski, DDFO; Greg Simonton, Federal Coordinator; Julie Galloway, Contractor Support Staff
- Savannah River Site's Citizen's Advisory Board: Manuel Bettencourt, Chair; Ranowul Jzar, Vice-Chair; Donna Antonucci, Member; Arthur Domby, Member; Patrick McGuire, DDFO; Terry Spears, DDFO; Gerri Flemming, Federal Coordinator; Sheron Smith, Federal Technical Coordinator; Mindy Mets, Contractor Support Staff; Debbie Wisham, Contractor Support Staff; Jenny Freeman, Facilitator
- DOE Headquarters:
  Inés R. Triay, Acting Assistant Secretary for Environmental Management
  Cate Alexander Brennan, EM SSAB Designated Federal Officer, Office of Public and Intergovernmental Accountability
  Mark Gilbertson, Deputy Assistant Secretary for Engineering and Technology
  Frank Marcinowski, Deputy Assistant Secretary for Regulatory Compliance
  Melissa Nielson, Director, Office of Public and Intergovernmental Accountability
  Merle Sykes, Deputy Assistant Secretary for Program Planning and Budget

Other: Jeffrey Allison, Savannah River Site Manager; Fred Cavanaugh, Mayor of Aiken, South Carolina; Deke Copenhaver, Mayor of Augusta, Georgia; Chuck Munns, President of Savannah River Nuclear Solutions (SRNS); Lessie Price, Environmental Management Advisory Board Member

Welcome and Opening Remarks

Ms. Jenny Freeman opened the meeting and introduced Ms. Cate Alexander Brennan, the Designated Federal Officer (DFO) for the EM SSAB. Ms. Brennan welcomed the Chairs to Augusta, Georgia and recognized the Acting Assistant Secretary for Environmental Management, Dr. Inés Triay and Savannah River Site (SRS) Manager, Mr. Jeffrey Allison. Opening remarks were provided by Mr. Fred Cavanaugh, Mayor of Aiken, South Carolina; Mr. Deke Copenhaver, Mayor of Augusta, Georgia; Mr. Chuck Munns, President of Savannah River Nuclear Solutions (SRNS); and Mr. Manuel Bettencourt, Chair, Savannah River Site's Citizen's Advisory Board (SRS CAB).

Mr. Allison introduced Dr. Triay, the first meeting presenter.

Dr. Triay thanked the Chairs and noted how important their recommendations are to DOE and EM. She highlighted local board achievements from the past year, including the Paducah Gaseous Diffusion Plant EM SSAB's (Paducah EM SSAB) development of effective broad-based methods for properly educating stakeholders; the Nevada Test Site Community Advisory Board's (NTS CAB) siting of wells to help gather data for the Nevada Underground Test Area (UGTA) project; and the Hanford Advisory Board's (HAB) recommendation concerning the clarity of agency reports, which is being used in the development of an Environmental Impact Statement (EIS) for tank closure and waste management documents.

Presentation: "EM Visions and Priorities - 2009 and Beyond" – Dr. Inés R. Triay, Acting Assistant Secretary for Environmental Management

Dr. Triay began by stating that the EM program originally was responsible for the cleanup of 108 sites in 35 states with a land area of two million acres; today there are only 22 sites in 14 states and a significantly reduced footprint. EM currently has four budget and planning efforts in place: the Fiscal Year (FY) 2009 program, economic stimulus package, and FY 2010 and FY 2011 budgets. She informed the Chairs that EM would like to receive comments and recommendations in order to ensure that the budget and planning cycle is a shared commitment. Dr. Triay stated that there have been some issues with budget delays in the construction areas, but EM has a commitment to DOE Secretary Steven Chu to improve project management.

Programmatic priorities for EM have not changed, she noted. The first priority is to maintain safety and security throughout the EM complex. The second is to stabilize, treat, and dispose of high-level waste (HLW) in the states of South Carolina, Washington, and Idaho. The third is to store and disposition spent nuclear fuel. The fourth is to consolidate, stabilize, and disposition special nuclear materials. Additional priorities in EM's portfolio

include transuranic (TRU) and mixed low-level waste (MLLW) disposition, soil and groundwater remediation, and the deactivation and decommissioning (D&D) of excess facilities. Many of these activities had been delayed due to funding constraints, but may be appropriate for completion under the American Recovery and Reinvestment Act (ARRA).

Under the ARRA, EM received $6 billion in additional funding. EM's goal is to obligate that money into contracts by the end of FY 2009 and use it to complete work by FY 2011. EM has made a commitment to the Department and the taxpayers to execute its ARRA-funded work with a high degree of transparency and accountability, which extends to every site and all contractors. Dr. Triay noted that feedback from the local boards is welcomed and that she expects all site managers – including deputy and Senior Executive Service-level managers – to interact fully with the EM SSAB. She also encouraged the Chairs to provide her with recommendations on EM's ARRA activities.

The ARRA favors footprint reduction, small site completions, and opportunities for finishing major portions of cleanup, such as soil and groundwater remediation, TRU and MLLW disposition, and D&D. EM has the regulatory framework in place and should be able to create jobs quickly by tackling these "shovel-ready' projects." In the case of the small sites, the program's goal is to finish cleanup. According to EM's strategic planning efforts, the program is expected to shrink further from 22 sites in 14 states to 10 sites in 10 states.

In order to prepare EM's ARRA project portfolio, economic recovery teams were assembled at each site to ensure that transparency and accountability processes were in place for spending ARRA funds. Furthermore, Ms. Cynthia Anderson, who is the Deputy Chief Operations Officer for EM, was named to lead the ARRA effort for EM. Her EM HQ staff is divided into two parts; one is devoted to project execution and is led by Mr. Frazer Lockhart; the other is devoted to planning and execution and is led by Mr. Steve Trischman. Mr. Trischman's group is also responsible for meeting the Department's ARRA transparency and accountability requirements.

The criteria for ARRA projects include validated costs, scopes, and schedules. While much of the work will be executed under existing Indefinite Delivery/Indefinite Quantity contracts, some of it will be competed; for example, brand new contracts have been awarded for base program work at Hanford, Savannah River, Oak Ridge and Idaho that can be leveraged for ARRA activities. Dr. Triay stated that it is important for EM to clearly articulate what the program plans to accomplish and deliver with ARRA funding. EM must also base its work on achievable regulatory requirements that are jointly agreed upon and technologies that are proven and readily available. These principles serve as the basis for all of EM's work. Dr. Triay remarked that perhaps the Administration and Congress decided to invest in the EM program, in part, because of its successes. EM was the recipient of the highest project management award in 2006 for the Rocky Flats cleanup and in 2007 for the Fernald cleanup. It is essential to take the discipline and rigor applied to the closure of Rocky Flats and Fernald to complete major portions of the cleanup at other sites such as Hanford, Savannah River, and Oak Ridge. Dr. Triay urged the Chairs to advise EM on this goal and noted the value of their local, public perspective.

Dr. Triay indicated that detailed information on the allocation of ARRA funding will be available in the coming weeks. Each site has been directed to discuss the scope of its ARRA work and ongoing budget priorities with the local EM SSAB members. In addition to the $6 billion in ARRA funding, EM's base program funding for FY 2009 is funded at $6 billion; the program needs to spend these funds before FY 2011. Furthermore, EM will need to begin developing a FY 2011 budget as soon as the President submits his request to Congress at the end of April 2009. In support of these activities, EM's strategic planning efforts have included a focus on how to best sequence the program and make its operations more efficient. For example, alternative management approaches and advances in science and technology can help optimize the program's efficiency, specifically with regard to activities like tank waste and spent nuclear fuel disposition.

Additionally, EM's recent strategic planning discussions have addressed footprint reduction and the potential for converting the program's liabilities (i.e. contaminated sites, facilities, and materials) into assets that can be used to solve critical national energy needs. The resulting Energy Park Initiative (EPI) outlines this concept and highlights the opportunities that may become available through dramatic footprint reduction of the EM complex. Dr. Triay cautioned that the Department is not trying to market energy parks or specific end uses to the sites; those paths forward are community matters. Furthermore, ARRA funding will not be used for the EPI.

With regard to waste disposition and the National Waste Disposition Strategy, Dr. Triay noted that the Chairs have received regular updates from Ms. Christine Gelles, Director for the Office of Waste Disposition, during their bi-monthly conference calls. Dr. Triay asked the Chairs to provide input on this topic, specifically with respect to materials that might be stored on site.

Dr. Triay also highlighted the topics of communications, public outreach, and Environmental Justice issues as opportunities for EM SSAB input. DOE's Environmental Justice Strategy was updated in May 2008 and requires programs to establish and maintain an integrated approach to implementing environmental justice activities. In support of this charge, the Environmental Justice Five-Year Implementation Plan was released in December 2008. Both documents have been made available to the EM SSAB.

Dr. Triay concluded her presentation by noting the challenge that EM faces when performance is measured on projects that span several years. While it may not be easy to stay focused on delivery and to keep the same sense of urgency to deliver on schedule and within budget, it is essential. EM has been given a vote of confidence by the investment made through the ARRA and its base program funding. To answer that vote of confidence, the program must put forth its best effort. EM made a commitment to Secretary Chu to improve project and construction management with the help of its senior executive leaders, contractors, and federal staff.

Dr. Triay recognized the EM SSAB Chairs and members, stating that they are "best in class." She emphasized the value of the EM SSAB's contribution to the program and noted that she will continue to seek the members' advice and recommendations.

Discussion:

Dr. J.D. Campbell, Chair of the Northern New Mexico Citizens Advisory Board (NNMCAB), questioned DOE's ability to fully set contracts and implement nuclear projects quickly. He asked Dr. Triay to encourage the sites to utilize the local boards to help with informing the public and gaining community support.

Dr. Triay responded that with regard to project management, EM has worked to organize its cleanup portfolio in projects. At Los Alamos, although the baseline is in place and there are project controls, the question remains, when can the work actually begin? EM has been working with the National Nuclear Security Administration (NNSA) to establish what will be done and how. EM is convinced that it can be more efficient when the planning ends and the actual work begins based on its experience, specifically since plutonium criticality issues that worked at Rocky Flats are similar to those at Los Alamos.

Mr. Steve Dixon, Chair of the Oak Ridge Site-Specific Advisory Board (ORSSAB), asked Dr. Triay to clarify how the EM program priorities were developed and to comment on the incorporation of public input during that development.

Dr. Triay explained that the priority list was developed based on the degree of radioactive hazards associated with the form of the waste and the proximity of the hazard to the accessible environment. For example, in the case of liquid tank waste at Hanford, although the tanks have been stable for a number of years and pumpable substances have been removed, the liquid waste is highly radioactive and very close to the accessible environment. Dr. Triay also stated that the sites worked with the local boards to help delineate these programmatic priorities and to try to reach an agreement with the regulators regarding how the hazards are ranked.

Mr. Dixon stated that many of the hazards are not exclusive, but are interwoven with each other and expressed concern about how the public could be involved in proposing changes.

Ms. Melissa Nielson, Director of the Office of Public and Intergovernmental Accountability, noted that the programmatic priorities have been in place for a number of years and have been presented to the EM SSAB for input on site priorities on a regular basis.

Ms. Shelley Cimon, a member of the HAB, expressed her hope that confusion between baseline and recovery funding would be minimized and proposed that a workshop be held at each site to address the three priorities DOE is examining. Ms. Cimon also suggested that EM look at the Hanford site's pre-1970s transuranic waste as a "shovel-ready" project if funding was available, and referenced the 43 miles of trenches that need to be characterized.

Dr. Triay commented that she thought that a sign of a healthy organization is when the person at the top and all staff members understand the sites' priorities and their importance. Dr. Triay emphasized that EM communicates across the board so that everyone understands the same thing and referred to the EM website, www.em.doe.gov, as a good communications asset. The EM program has experienced noteworthy growth in recent years. In 2007, EM had 1380 Federal employees and today there are 1622.

Mr. Ralph Phelps, the NNMCAB Vice Chair, noted that transferring DOE property for community use may cause apprehension. He recommends a dual approach from the top down, working within the community. Mr. Phelps asked Dr. Triay if she had any advice on how the Chairs could approach that concept.

Dr. Triay referred to a workshop conducted by Mr. Mark Gilbertson, Deputy Assistant Secretary for Engineering and Technology, at the Oak Ridge site that may be of interest to the Chairs. She also stated that Mr. Gilbertson would speak about the EPI later today during his presentation.

Ms. Bobby Ann Lee, Chair of the Paducah EM SSAB, noted that the topic of site end-use is of interest to her fellow members. She asked Dr. Triay what sort of support, other than workshops, would be available to explore end-use issues.

Dr. Triay noted that she would like to see end-use factored into the Energy program portfolio since the Office of Energy Efficiency and Renewable Energy (EERE) has already begun working with EM.

Ms. Lee asked if there were other uses beyond the Energy Parks under consideration and what sort of support would be available to facilitate dialogues.

Dr. Triay explained that the EPI is not a one-size fits all approach. End-use discussions will be looked at based on local interest and advocacy role. Energy Parks may be natural for some sites, not necessarily for all.

Ms. Cimon asked Dr. Triay about the concept of reinvigoration of the relationship between EM sites and the national laboratories. She asked if EM could produce some sort of chart to clarify this relationship and explain how the EM sites and labs interact.

Dr. Triay stated that the idea was good and would probably be accepted by Secretary Chu, given his background. She felt DOE and EM were certainly poised to receive that advice.

Round Robin: Top Three Site-Specific Issues and EM SSAB Accomplishments

The EM SSAB Chairs were provided an opportunity to share the current top three issues facing their sites as well as a significant local board accomplishment.

Savannah River Site's Citizen's Advisory Board – Manuel Bettencourt and Ranowul Jzar

1. Liquid Waste Operations/Tank Closure
   - SRS has a large volume of tank waste that is characterized by three major elements: salt waste treatment and disposal, sludge batch preparation processing, and tank closure.
     - Of 51 tanks, 49 remain and contain approximately 36 million gallons of waste.
   - In the spring of 2008, SRS began normal operation of its interim salt waste processing facilities, the Actinide Removal Process and the Modular Caustic Side Solvent Extraction Unit Process. Salt waste accounts for approximately 90% of the tank space in SRS's tank farm.
   - The SRS CAB's primary concerns are the accumulation of HLW, tank closure, and protecting the public and environment. The site has achieved success with a technology called the Sand Mantis, which was borrowed from the Hanford site and improved upon in order to handle the SRS waste sludge.

2. Continued Operations of H-Canyon
   - The SRS CAB's concern stems from the Government Accounting Office's report on continued infrastructure upgrades to H-Canyon.
   - The SRS CAB has been briefed about the robust infrastructure process by which SRS identifies what needs to be upgraded to keep the site operating; the SRS CAB is concerned because the site is almost 60 years old.

3. Plutonium Disposition
   - There are four ongoing optimization studies underway at SRS to address the following issues: interaction between NNSA and EM to utilize existing facilities; optimizing the two-pronged approach to plutonium disposition; mixed oxide processing at the Defense Waste Processing Facility (DWPF), and spent nuclear fuel disposition alternatives.
   - The SRS CAB is also trying to determine if a portion of the plutonium can go to the Waste Isolation Pilot Plant (WIPP). There is a K-area storage issue where SRS is scheduled to receive five hundred 3013 canisters from across the complex.

Accomplishment: Conception and development of a site flow chart
   - The SRS CAB, DOE, and SRS's prime contractor have developed a Waste and Material Flow Chart. The chart is a high-level depiction of the materials imported and exported by SRS. It shows the inner connectivity of inputs and outputs, as well as the processes of facilities, projects, and other site activities.

Portsmouth Gaseous Diffusion Plant EM SSAB – Val Francis

1. Finding Consensus Among Regulators, the Community, and DOE
   - The Portsmouth EM SSAB is concerned with finding consensus among the regulators, the community, and DOE on the development of an accelerated cleanup plan, determination of groundwater remediation, and opportunities for job creation.

- The Portsmouth EM SSAB has submitted a recommendation to DOE on the accelerated cleanup plan.

2. Revise the Portsmouth Gaseous Diffusion Plant D&D Request for Proposal (RFP)
   - A recommendation has been submitted asking DOE to include community investment provisions in the RFP. The advice has been incorporated into the draft RFP.
   - The Portsmouth EM SSAB feels that this type of procedure for RFPs is valuable to the community stakeholders and will help create jobs.

3. Identify and Address Significant Historic Preservation Issues at the Portsmouth Site
   - Several stakeholders in the local area have expressed concern about the issue of site preservation.
   - Local DOE officials are working with the State of Ohio's Historic Preservation Office; plans include the organization of a workshop and briefing by the Historic Preservation Office.

Accomplishment: The Portsmouth EM SSAB is Fully Operational
- The Portsmouth EM SSAB is fully operational, has elected co-chairs, developed operating procedures, and established four functional committees with elected officers.

<u>Paducah Gaseous Diffusion Plant EM SSAB – Bobby Ann Lee</u>

1. Development of a Comprehensive On-Site Metals Recycling Program
   - The Paducah EM SSAB is interested in seeing DOE move forward in developing a comprehensive on-site metals recycling program that will include existing nickel ingots.

2. Minimizing Future Impacts on Remediation Efforts
   - The Paducah EM SSAB believes that in order to minimize future impacts on remediation efforts and to maintain continuity of service, DOE should amend the current remediation RFP for the inclusion of a 5-year option period to extend the environmental cleanup work scope beyond the initial period of performance.

3. Resolution of Waste Disposal Options to Facilitate Remediation Processes for Burial Grounds and D&D of the Paducah Gaseous Diffusion Plant's Facilities
   - The Paducah EM SSAB believes DOE should move forward with resolution of waste disposal options to facilitate the remediation process for burial grounds and D&D of the Paducah Gaseous Diffusion Plant facilities.
   - The Paducah EM SSAB has scheduled a series of public meetings to discuss the on-site and off-site waste disposal options and would like to include community input as much as possible within that decision-making process.

Accomplishment: DOE has implemented multiple elements of the Paducah EM SSAB recommendations on public communication

- DOE recently conducted a successful public meeting that incorporated multiple elements of the Paducah EM SSAB's comprehensive recommendations related to pubic communication. The meeting netted 200 attendees over a two-night period to learn about the site. With a population of 22,000 in Paducah, the attendees represented 1% of the population.
- The Paducah EM SSAB is also rebuilding membership efforts and, after working with DOE, has attracted new members. Currently six new board members are awaiting approval.

Dr. Campbell commented about the Paducah EM SSAB's successful public meeting and suggested that Ms. Lee document and share the techniques used to elicit that level of participation with the other Chairs.

Oak Ridge Site-Specific Advisory Board – Steve Dixon

1. Review the National EM Priorities with Consideration for EM SSAB Involvement
   - The ORSSAB is concerned about how the Department integrated local input into the development of the programmatic priorities list and would like to see more public involvement in the process.

2. Identify Buildings with Possible Historic Significance to Assure Adequate Surveillance and Maintenance
   - The ORSSAB supports the D&D of excess facilities, but would like for DOE to look for historic significance and values in these facilities in order to obtain adequate attention and prevent deterioration.
   - The North Tower of the K-25 Gaseous Diffusion Building at the East Tennessee Technology Park cannot be saved as an interpretive center because it has been allowed to deteriorate.

3. Stewardship Responsibilities at On-Going Mission Sites
   - Since the DOE Office of Long-Term Stewardship (LTS) was abolished, the ORSSAB has been concerned about DOE's commitment toward LTS.
   - The Office of Legacy Management (LM) is responsible for stewardship of closed mission sites, such as Rocky Flats, but the ORSSAB has little support to alleviate concerns about LTS at ongoing mission sites, such as the ORNL and Y-12.

Accomplishment: Support for the Integrated Facility Disposition Project (IFDP) and subsequent Federal Facility Agreement modification

- The ORSSAB first became aware of the IFDP in June 2005 when it called for the addition of ORNL and Y-12 facilities to the current EM work scope.
  - When the mission needs statement was submitted, the ORSSAB offered a recommendation supporting the project after receiving a great deal of community involvement and asked DOE to approve the Critical Decision (CD) and fund the projects.
- The ORSSAB also sent a recommendation supporting the CD-1 of the IFDP and advised that it include surveillance and maintenance for historically significant

buildings and surplus facilities, thereby avoiding costly and dangerous demolitions as a result of neglect.

Northern New Mexico Citizens Advisory Board – J.D. Campbell

1. DOE to Provide Full Funding for Implementation of the EM/Los Alamos National Security Certified Baseline
   - The NNMCAB is concerned about the site's ability to provide full funding for implementation of the EM/Los Alamos National Security certified baseline and to meet the clean-up schedule of the New Mexico Consent Order.
   - The NNMCAB has been assured that the site could accommodate a $200 million level of stimulus funding.

2. Continue Installing New Groundwater Monitoring Wells
   - The NNMCAB does not have confidence in monitoring of groundwater at Los Alamos and recommends the continued installation of new groundwater monitoring wells in order to reliably measure chemicals of concern.

3. Increase TRU waste Shipments to WIPP
   - The NNMCAB recommends an increase in TRU waste shipments to WIPP on the critical path for the Consent Order.

Accomplishment: The CAB's Work in 2008 and Recommendations Have Been Beneficial to DOE

- The NNMCAB's 2008 input and recommendations have benefited the Los Alamos Site Office, per feedback from Mr. George Rael, the NNMCAB DDFO and Los Alamos Site Office Assistant Manager for Environmental Operations.
- The NNMCAB is attempting to move forward and draw participation from the local community.

Dr. Triay assured Dr. Campbell that she would look into any issues pertaining to the interaction between the NNMCAB and the Los Alamos Site management. DOE needs to be open with the EM SSAB, which in turn will be open with the public. This communication is essential to the success of EM.

Nevada Test Site Community Advisory Board – Walt Wegst

1. Assuring Continuing Funding for the Timely Completion of the UGTA Project
   - The NTS CAB set up a committee several years ago to review DOE's work in the UGTA project. The project entails drilling wells 3,000 to 4,000 feet deep to characterize the flow of the groundwater underneath the NTS. Nine areas were chosen as drill sites that cost $5 million each to drill.
   - The NTS CAB would like some of the ARRA funding to be directed toward drilling more wells.

- The NTS CAB's UGTA Committee reviewed the DOE program and developed a recommendation stating when and where the wells could be drilled that was approved by the full board and submitted to the site.

2. Obtaining Sufficient Funding to Complete the Legacy TRU Waste Project
   - The NTS CAB wants to ensure that DOE maintains funding to complete the legacy TRU waste project at NTS. A substantial amount of TRU waste was shipped to NTS from the Lawrence Livermore National Laboratory 20 years ago for temporary storage.
   - The legacy TRU waste needs to be characterized, repackaged, shipped to Idaho for final characterization, and then shipped to WIPP for final disposal.

3. Resolution of the Conflict Between the State of Nevada and DOE Regarding Land Use Issues
   - The NTS CAB wants to help DOE and stay current on the resolution of issues of using NTS for waste disposal.
   - The NTS CAB recently discussed a letter that DOE received from the Attorney General of Nevada that said the use of the NTS for waste disposal did not comply with the original Land Withdrawal Act.
   - DOE is currently working to transfer ownership of about 700 acres of land, which includes the current waste disposal facilities at NTS. DOE would still have to comply with environmental and state regulations for waste disposal.

Accomplishment: The first well location recommended by the NTS CAB will be drilled in May 2009.

<u>Idaho National Laboratory Site EM Citizens Advisory Board – R.D. Maynard</u>

1. Support DOE Cleanup Mission and Adequate Funding

2. Ensure Adequate Funding for EM to Assume the Nuclear Energy Liabilities Project

3. Establishment of a Permanent Repository for Calcine and Spent Nuclear Fuel
   - The halting of activity at Yucca Mountain affects the EM mission at Idaho National Laboratory (INL) and concerns the INL CAB. Permanent disposition of calcine and spent nuclear fuel is problematic because the site does not know how to proceed with processing the materials into an acceptable form for an unknown destination.

Accomplishment: The INL CAB's involvement and recommendations have assisted DOE in making sound budget and project decisions
   - The INL CAB's involvement and recommendations have assisted the Department in making sound budget and project decisions; it has also influenced reprogramming and supplemental budget efforts to address D&D projects and sodium bearing waste.
   - The INL CAB's success is due to access and communications with the DOE field office.

Dr. Triay informed Mr. Maynard that Secretary Chu spoke about a blue ribbon panel that has been put together to look at the repository issues. The plan for spent nuclear fuel is to put it in dry storage at Idaho by the end of 2010. The panel is also looking at whether an Idaho facility, such as the Sodium Bearing Waste Facility, can be refurbished to handle the calcine once it has completed its mission.

Hanford Advisory Board – Susan Leckband

1. Tank Closure and Waste Management EIS Impacts on Cleanup Decisions
   - The Closure and Waste Management EIS was a long-awaited document at Hanford. The HAB is trying to imagine reducing the site to a central plateau and will need Records of Decision to do it.
   - The EIS is expected in April after much delay, and the HAB hopes that a Record of Decision for cleanup of the Central Plateau will follow.

2. The Characterization, Retrieval, Treatment, and Disposition of Waste Buried on Hanford's Central Plateau, including pre-1970 Suspect TRU Waste
   - The HAB believes that the pre-1970 suspect TRU waste should be characterized and incorporated into the Central Plateau Flow Chart.
   - The HAB believes the TRU program is at a stop right now. They will have a backup as they are not able to ship to WIPP, and not much has happened with the remote-handled (RH) TRU. The HAB is concerned whether there will be enough capacity at WIPP and whether the RH TRU program will get back on track.

3. Proposed Significant Delays (Decades) to Empty Underground Tanks and Vitrify Tank Waste
   - There are 53 million gallons of HLW and LLW on-site, which is expected to be processed through the Waste Treatment Plant (WTP) that is scheduled to be operational by 2019.
   - The states of Washington and Oregon currently have a lawsuit against DOE. The HAB is hopeful that this will be resolved and the tanks will be emptied.
     - The Tri-Party Agreement (TPA) has been in effect since 1985 and has had more than 400 changes to it with enforceable milestones.
     - The HAB understands that the TPA is a living, working document, but noted that many of the tanks have already leaked into the environment and are well beyond their design life.

Accomplishment: Two all-day workshops

- The Public Involvement Committee Strategic Planning Workshop was devoted to re-energizing and focusing the committee for the coming year.
- The HAB discussed how to design a public meeting to obtain comments on the Tank Closure and Waste Management EIS.
- At the Budget Workshop, the HAB asked how to roll out a budget scenario that involved working on three budget years as well as the stimulus funding at the same time, and how to involve the public in this process.

Panel Discussion: EM Headquarters Update and Initiatives

Presentation: "Program Planning and Budget Update" – Merle Sykes, Deputy Assistant Secretary, Office of Program Planning and Budget

Ms. Brennan introduced, Ms. Merle Sykes, Deputy Assistant Secretary (DAS) for Program Planning and Budget (EM-30).

Ms. Sykes provided an overview of EM-30's activities over the past six months, which included dealing with a Continuing Resolution, a possible second Continuing Resolution, an Omnibus bill, and the ARRA**.** EM-30 was also working on the budget for FY 2010 and is in the midst of a transition that involves briefing a new Under Secretary and Deputy Secretary.

The program faces the challenge of coordinating with the Environmental Protection Agency (EPA) at Superfund sites, while also dealing with the state regulators and DOE's own regulatory authorities for the cleanup of the radioactive waste. Ms. Sykes emphasized that the EM priorities are the same and the program is still first and foremost going after the highest-risk elements and those that are associated with the tanks, spent nuclear fuel, and special nuclear materials. Those activities will be covered in EM's base funding. ARRA funding will go to those projects that have been pushed out and de-emphasized because of the very high costs associated with higher risk activities; examples include D&D projects and soil and groundwater remediation. The base funding will be concentrated on the Hanford WTP, SRS Salt Waste Processing Facility (SWPF), and the Sodium Bearing Waste Facility in Idaho.

Ms. Sykes explained that EM is able to successfully implement the ARRA funding and achieve substantial lifecycle cost savings due to its rigorous strategic planning efforts. Since EM has comprehensive planning in place, the program had a basis to conduct analysis and capitalize on the opportunity presented by the ARRA. Dr. Triay asked what EM could get done by FY 2015 and various sites submitted proposals for accelerated cleanup that put more money into the things the program does well. As a result, EM was able to provide Congress with a list of potential projects that would net the greatest impacts for ARRA funding.

Ms. Sykes talked about overall lifecycle costs. The National Defense Authorization Act for FY 2009 required a report to focus on the status of the program, which gave EM an opportunity to look back at lifecycle costs. The original estimate from the baseline EM report was about $350 billion. EM hopes that the EM SSAB will look into the baselines and determine if their priorities are reflected. There have also been changes to work scope resulting from the incorporation of new information and the revision of previous key assumptions about the technologies, funding, and time needed to complete various projects.

With regard to what will be in the certified baseline, EM has listed the disposition of plutonium at the H-Canyon at SRS. It was originally thought that all plutonium being consolidated at SRS would be dealt with by NNSA. The assumptions in the past were that EM would not take any more facilities, and that is no longer true. Furthermore, the

evolution of the construction projects has resulted in increases in cost. Ms. Sykes asked the Chairs to review the certified baselines and provide feedback as to whether they were performed in the right order and if the assumptions were correct.

The financial statements for DOE are prepared much like a corporation that tracks liabilities and estimates. Environmental liability for DOE is one of the largest liabilities in all of government. As ARRA activities continue, EM has to keep track of scopes of work and the resulting savings in order to make adjustments to the environmental liability estimates. ARRA requires exceptional reporting and transparency and will undoubtedly impact the Department's liability estimates.

Ms. Sykes encouraged the Chairs to look at the baselines now in preparation for the budget process, which will begin after April. The ARRA activities have been increased slightly to be prepared for an opportunity, should it arise. EM is formulating the FY 2010 budget at the same time as the ARRA planning; it is a detailed process that includes examining priorities and scope.

EM generally looks for input in the May-June timeframe and puts the integrated priority list into a budget request that all programs review during the time of embargo. The Office of Management and Budget (OMB) looks at the request and submits its decision after November. Two budget levels are submitted. One is submitted at the compliance budget level and another is a budget plan that corresponds with EM targets.

However, when the budget goes to Congress, the process is still not complete, as Congress makes sometimes significant changes. For example, there is an option for management to go to Congress and make presentations on site priorities. EM also continues to receive specific direction from Congress. EM currently has a FY 2009 budget of $6 billion that was approved under an omnibus bill.

The ARRA priorities covered in Dr. Triay's presentation are currently being reviewed by Congress. EM was able to show substantial benefit with footprint reduction as well as provide an estimate of the number of jobs that will be created. EM is planning on using existing contracts and encouraging the use of sub-contractors in order to bring new workers on board quickly.

Information about the ARRA can be found at www.Recovery.gov. EM has to document when funds are obligated and disbursed to contractors and where the dollars are spent. These reports are due on a weekly basis rather than monthly. The number of jobs created or layoffs avoided will also be identified and posted online. Furthermore, EM will share specific matrices that show how many buildings are addressed, and how much land is freed up for other uses with the ARRA funds.

An additional key element of the ARRA implementation will involve tracking the spending toward EM's lifecycle costs to determine how much money has been saved and what kind of costs have been avoided. EM hopes to obligate the ARRA funds by the end of FY 2009 and

issue the contracts before the end of FY 2010. Ideally, all of the money will be spent by the end of FY 2011.

Discussion

Mr. Dixon questioned where the EM budget targets originated.

Ms. Sykes explained that the budget activities are separated into presidential initiatives and non-presidential initiatives. The non-presidential initiatives are targeted using a very arithmetic process. It is difficult to formulate a budget at that level, but that is where the appeals process comes in.

Mr. Phelps questioned if EM will institute some sort of reporting or feedback about the number of jobs created.

Ms. Sykes answered that a key piece of data will be how many jobs are created, and that will be reported at www.Recovery.gov.

Mr. Bettencourt asked if there was a requirement to report when these newly created jobs will go away.

Ms. Sykes answered that EM hopes that footprint reduction will encourage land reuse to keep economic momentum flowing, but there is currently no reporting requirement for jobs that end after ARRA activities are completed.

Ms. Clayton mentioned that prompt personnel security clearances are an issue at Paducah and asked if the time required to receive one had been considered for the ARRA work.

Ms. Sykes noted that hopefully there will be a sweep of duties on a site that will allow workers without clearances to work on lower-security areas, allowing those with clearances to manage the higher-security areas.

Mr. Dixon asked Ms. Sykes to address how DOE plans to achieve the current standard of safety with an accelerated schedule.

Ms. Sykes stated that safety continues to be the top priority and that will not change.

Presentation: "Engineering & Technology Update" – Mark Gilbertson, Deputy Assistant Secretary, Office of Engineering and Technology

Ms. Brennan introduced Mr. Mark Gilbertson, DAS for Engineering and Technology (EM-20). EM-20 provides technical solutions that enhance the EM program's safety and operating efficiency and reduce programmatic risks. In his presentation, Mr. Gilbertson reviewed a number of the issues that face EM-20, including engineering and technology, strategic planning and management initiatives, technology readiness assessments, external

technical reviews, the need to leverage research and development from the public and private sectors, technology development, and the EPI.

In order to be more strategic, EM-20 is working with SRS and the Office of River Protection to create a modeling capability that will allow the program to review its projects and perform real-time analyses in order to leverage pre-existing resources such as the national laboratories and advanced computing systems. A number of workshops have also been conducted around the country that will assist EM in building communities of practice for various specialty areas, including tank integrity, mercury contamination, and orphaned waste streams.

Several external technical and non-technical reviews have been added to the program's webpage, http://www.em.doe.gov/EM20Pages/EM20HomePage.aspx. EM has also continued to examine risk management plans associated with the projects and activities being conducted at the sites. Furthermore, the program is working toward becoming a Best-in-Class organization with regard to engineering technology and cleanup, and has continued to work closely with the United Kingdom and seek key opportunities for the future.

Mr. Gilbertson talked about the DOE Transformational Energy Action Management (TEAM) Initiative, which aimed to improve energy efficiency across the complex by 30 percent. EM was a leader of the TEAM Initiative and won a Departmental award for its promotion and management of energy efficiency activities at its sites. Of particular note, SRS has done a tremendous job in demonstrating how to utilize biomass to produce energy, which replaces coal-fired production on site. This also supports the Secretary of Energy's strategy to reduce carbon emissions in the future and is important to work into the framework at other sites. SRS is one of the largest users of alternative fuel vehicles that run on ethanol-85 fuels.

Recently, the National Academies of Science (NAS) was asked to review DOE's Cleanup Technology Roadmap. NAS endorsed the Roadmap and provided advice on high-priority areas. The complexity and enormity of the cleanup tasks require a significant on-going research and development (R&D) program, and the Roadmap can serve as an important tool for guiding R&D investments. There are national laboratories with special capabilities at each of the four major sites, which are available to help address EM's long-term needs. At the beginning of the study, the NAS committee understood that the Roadmap would be a living document to help plan, justify, and increase the effectiveness of EM's R&D program in support of its site cleanup mission. The committee has recommended detailed improvements and periodic updates of the Roadmap.

Mr. Gilbertson stated that technology readiness assessments are useful project management tools that support construction project management decisions, reduce technical risk, and limit overruns of both cost and schedule. A consistent, systematic, and structured process to evaluate and communicate the status of technology development is needed and has been recommended for DOE's use by the Government Accountability Office. Improved reliance on external technical reviews conducted by subject matter experts who are independent of the project will provide reliable information for assessing technical risk. Mr. Gilbertson

stated that results are used to develop strategies for reducing identified technical risks and to provide technical analysis to support critical project decisions.

Mr. Gilbertson provided a brief overview of the EPI, explaining that it is an opportunity to support the nation's goal for energy independence by creating and enabling the rapid development of large-scale, energy-related enterprises on completed EM sites. The EPI concept supports EM's goals of transitioning sites to beneficial use, engaging stakeholders as partners, leveraging liabilities, supporting industrial use standards, reducing the EM footprint, lowering lifecycle costs, and increasing the taxpayer return-on-investment. Potential options for energy park reuse may include conventional and advanced energy technologies such as renewable energy, fossil fuels, electricity generation, hydrogen generation, specialty manufacturing, and nuclear power.

Mr. Gilbertson concluded his presentation by noting that the challenges ahead will be to provide solutions to reduce the technical uncertainty for first-of-a-kind technologies; improve engineering and scientific capabilities; develop policy, strategies, and guidance for facility management and land redevelopment; and improve energy efficiency and conservation.

Discussion

Ms. Cimon stated that information about the EM corporate boards and their roles has not been successfully relayed to the EM SSAB; a process for dialogue is not clear.

Mr. Gilbertson indicated that materials and information on the EM corporate boards was available online at http://www.em.doe.gov/EM20Pages/TankWasteReferencePage.aspx#HLW. Furthermore, a corporate board for public participation is currently under consideration.

Dr. Campbell requested guidance on EM's policy for the disposition of unlined landfills at DOE sites. Mr. Gilbertson stated that if there was interest among Board members, his office would be willing to hold a conference call to discuss the results of EM's cross-complex landfill and groundwater reviews and the lessons learned from the recent workshop. Background documents should be distributed to participants prior to the conference call for reference.

Public Comments

Mr. Tom Clements, a member of Friends of the Earth, stated that he was from Columbia, South Carolina, which is located outside of the SRS stakeholder community. Mr. Clements indicated he has heard a lot about transparency and openness, but not much about the public and its involvement. He indicated that he participated in a conference call with Dr. Triay last week, but is interested in having input on the progress regarding ARRA funding. Mr. Clements asked about the negative impact on the status of jobs at SRS. He stated that he would like to know if there has been an analysis of the long-term impact of jobs at SRS after two years of cleanup have been completed. Mr. Clements asked about the amount of

overhead money the contractors at SRS will receive from the ARRA funding. He pointed out that currently there is not much on the Recovery.gov website about EM issues. He asked if the EM mission was to push energy parks and expressed his opinion that EM has no business dealing with energy park development. He stated that if reprocessing results in the shipment of massive amounts of LLW from other states to SRS, he will work with his local and state legislators to address this issue.

Ms. Karen Patterson, a member of the Governor's Nuclear Advisory Council, stated that she is aware of the value that EM puts on stakeholder input. She would like the EM SSAB to consider convincing the Office of Civilian Radioactive Waste Management (OCRWM) that they need to get stakeholder input on its decisions. Ms. Patterson believes that EM makes better decisions when it receives early and frequent stakeholder input.

Mr. Joe Ortaldo, a member of the local community, commented on the communication by DOE, NNSA, and OCRWM, relative to the status of Yucca Mountain. He stated that SRS has taken in about 30 tons of plutonium, TRU waste, spent fuel, and aluminum clad fuel from around the complex under the assumption that what was coming on to the site will eventually be moved off of the site. Mr. Ortaldo requested that more communication from the other offices be given to the EM SSAB, even if it is one-way communication.

Savannah River Site Discussion

Presentation: "The Federal Budget Process" – H. Kriss Nielsen, Budget Director, Savannah River Site

Mr. Kriss Nielsen provided an integrated overview of the federal budget process and explained how Congress develops tax and spending legislation based on procedures laid out in the Congressional Budget Act of 1974.

The federal budget process includes the President's Budget Request (PBR), which kicks off the budget process each year; the Congressional budget resolution, which determines how the budget is developed and what it contains; and the budget reconciliation, which is a special procedure used to facilitate the passage of the spending and tax legislation.

The PBR is submitted to Congress on or before the first Monday in February. It is developed by OMB and plays three important roles:

1) The PBR tells Congress what the President believes the overall federal fiscal policy should be, in terms of how much money the federal government should spend on public purposes, how much it should take in as tax revenues, and how much of a deficit the federal government should run.
2) The PBR lays out how much the President believes should be spent on federal programs.
3) The PBR signals to Congress what spending and tax policy changes the President recommends.

After receiving the PBR, Congress holds hearings to question administration officials about their requests and then develops its own budget resolution. This work is done by the House

and Senate Budget Committees, whose primary function is to draft the budget resolution. The budget resolution is a concurrent Congressional resolution, not an ordinary bill, and therefore does not go to the President for his signature or veto. The resolution also requires only a majority vote to pass and is one of the few pieces of legislation that cannot be filibustered in the Senate. The budget resolution is supposed to be passed by April 15, but it often takes longer. Spending totals in the budget resolution are stated as the total amount of budget authority that is to be provided and the estimated level of expenditures, which is how much money actually flows out of the federal treasury in a given year.

The five stages of the Congressional Budget Process are:

1.) The PBR Submission
2.) Adoption of the Budget Resolution
3.) Passage of Appropriation Bills
4.) Consideration of Reconciliation Legislation
5.) Re-rack, Realignment and Reprogramming.

Mr. Nielsen briefly explained appropriations, apportionments, and accountability, noting that the control of funds is governed by Title 31, Section 1514 of the U.S. Code of Federal Regulations, which requires the Secretary of Energy and other agency leads to prescribe and carry out a system for administratively controlling funds.

Presentation: "A Board's-Eye View of Cleanup" – Art Domby, SRS CAB Member

Mr. Domby gave an overview of how the SRS CAB members view SRS and described the sometimes difficult technical areas that individuals must learn in the course of their membership. The information shared by Mr. Domby included the SRS Waste & Material Flow Chart; a description of on-site EM activities and completion projects; detailed groundwater plume charts; closure strategies; and the significance of the SRS H-Canyon, which is scheduled for closure in 2019. The SRS H-Canyon, SWPF, and DWPF represent a unique chain of processes and facilities in the DOE complex.

Mr. Domby summarized his presentation by emphasizing the complexity of the SRS programs and their integration, and describing how the SRS CAB has played an effective role in ensuring that meaningful public participation occurs at the site.

EM SSAB Product Discussion

Ms. Leckband asked that each Chair sign the EM SSAB letter that will be sent to the new Assistant Secretary, once confirmed.

Mr. Lundy introduced a product developed by the ORSSAB for review regarding EM's programmatic priorities. Following a brief discussion, the Chairs asked that the product be revised in order to address the 60-day time period for EM SSAB input into the budget process and resubmitted for review the following day.

Dr. Campbell proposed developing a work product that requests guidance for evaluating risk reduction and/or remaining on-site risks associated with the closure of landfills and material disposal areas.

The closure of landfills may or may not present a challenge for all sites. The Chairs were directed to return to their sites and review the issue of landfill closure to ensure that the potential risks and concerns surrounding that practice are understood. Ms. Nielson suggested that the topic be included on the next Chairs' bi-monthly conference call agenda.

Ms. Leckband recommended that the Chairs address the topic of early EM SSAB input and public involvement in discussions regarding a national waste repository. After a brief discussion, the Chairs agreed to further pursue the issue.

Ms. Judy Clayton of the Paducah EM SSAB proposed that the Chairs explore the topic of metal recycling.

At 5:17 p.m. on March 18, 2009, the meeting was adjourned, to reconvene at 8:30 a.m. on March 19, 2009.

Thursday, March 19, 2009

Opening Remarks

Ms. Freeman welcomed participants to the second day of the meeting.

Ms. Brennan took a moment to recognize Ms. Gerri Flemming, the SRS CAB's Federal Coordinator and her support staff for their role in organizing and hosting the EM SSAB Chairs meeting. She also thanked the Chairs for their commitment to the EM SSAB and for their contributions to the EM program.

Ms. Nielson commented that she and Ms. Brennan recently attended the Waste Management Symposium in Phoenix, Arizona and presented a paper about the history of the EM SSAB. The Chairs and their fellow board members were encouraged to develop papers and present at future conferences. Information on the Waste Management Symposium is available at www.wmsym.org.

Presentation: "Waste and Materials Disposition Update" – Frank Marcinowski, Deputy Assistant Secretary for Regulatory Compliance

Ms. Brennan introduced Mr. Frank Marcinowski, DAS for Regulatory Compliance.

Mr. Marcinowski provided an overview of the Office of Regulatory Compliance's (EM-10) activities and functions. EM-10 is responsible for complex-wide waste management and disposition policies and operations. Mr. Marcinowski's staff also reviews matters related to

the program's environmental responsibilities as defined by law and regulation, or negotiated and stipulated in formal compliance agreements. Furthermore, EM-10 is responsible for updating individual site milestones, addressing National Environmental Policy Act issues, and managing the program's advisory boards and Tribal and intergovernmental relationships. Lastly, in conjunction with EM-20, Mr. Marcinowski's office is the lead organization for reviewing the implementation of performance assessments across the EM complex.

EM has entered into 37 environmental regulatory agreements for cleanup. In FY 2008, the program was responsible for addressing approximately 200 enforceable milestones; in FY 2009 there are more than 160. Unfortunately, there are some milestones that simply cannot be completed due to a variety of circumstances. The FY 2009 budget request stipulated that some compliance requirements could not be met due to funding or technical constraints. The ARRA funding may help EM bridge those constraints related to funding but those related to technical issues.

Mr. Marcinowski highlighted a number of recent programmatic successes, including the closure of an outstanding legal issue over the exhumation of buried TRU waste at INL, the successful renegotiation of a draft proposal to revise the Hanford TPA, and the successful multi-agency collaboration between the State of New York, EPA, and the Nuclear Regulatory Commission to define future cleanup at the West Valley site.

With regard to DOE Order 435.1 that addresses radioactive waste management, Mr. Marcinowski reported that the policy is currently being updated. The process may take a year to complete, and EM will strive to be as open as possible in order to provide adequate opportunity for external input. EM-10 is working to make the revised Order available for public comment as soon as possible.

Mr. Marcinowski reviewed the list of EM's risk-based priorities which include: maintaining a safe and secure posture in the EM complex; radioactive tank waste stabilization, treatment, and disposal; spent fuel stabilization, packaging, and disposition; special nuclear fuel storage, receipt, and disposition; high-priority groundwater remediation; TRU and MLLW/LLW disposition; soil and groundwater remediation; and excess facility D&D. The priority list is used to inform EM's budget processes and is based on an assessment of risk; higher risk activities are higher priorities. As previously discussed, EM will leverage the influx of ARRA funding against lower-tier priorities in order to accelerate their completion, thereby reducing the program's physical footprint and reducing lifecycle costs; higher priority activities will continue to be funded by the program's base budget.

Given the significant waste volumes likely to be generated over the near-term, EM-10 is exploring a number of alternative disposal options. EM has disposed of approximately 80-85% of LLW and MLLW at its generating sites, while 5-7% of that waste is shipped to the NTS, and the remaining 10-12% is destined for commercial facilities. EM-10 is currently evaluating other eligible commercial options for higher activity MLLW such as the Waste Control Specialists facility in Andrews, Texas, to assist with operations beyond 2010, and is considering the proposal of a new MLLW disposal cell at NTS. Current information on

EM's LLW and MLLW streams, including forecast data and disposition maps, is available online through the Waste Information Management System (WIMS) at http://wims.arc.fiu.edu/wims/.
Mr. Marcinowski added that EM is also moving forward with complex-wide disposal contracts. Furthermore, he expects that the program will issue the draft EIS for Greater-than-Class C (GTCC) waste in FY 2009 and open it for public comment. Several options for GTCC waste disposition are under consideration, including the use of WIPP.

Mr. Marcinowski briefly reviewed the current legal situation at the NTS that will determine whether or not the land is suitable for public use; however, the return of this land to public use is highly unlikely given the history of weapons testing that occurred at the site. Once the Bureau of Land Management is satisfied that the land is not suitable for public use, it will be turned over to the General Services Administration, which in turn will offer it to the federal agencies. DOE will then have the option to obtain the title and hopefully resolve any of the State's remaining land withdrawal concerns.

HLW disposition continues to be a challenge for the EM program given the underground storage tanks that need to be addressed at Hanford and Savannah River and the uncertainty of a permanent repository at Yucca Mountain. Mr. Marcinowski stated that there is no active consideration or discussion for expanding WIPP's mission and storage capacity to accommodate HLW in place of Yucca Mountain. The Secretary is establishing a Blue Ribbon Commission to explore alternatives for disposition of SNF and HLW.

With regard to waste treatment and disposal operations, Mr. Marcinowski reported that the Toxic Substances Control Act (TSCA) Incinerator at Oak Ridge will likely proceed with closure activities in the near future. EM-10 has identified viable commercial alternatives that are ready to treat waste streams that would have otherwise been bound for the TSCA Incinerator.

EM has developed three boards that serve as mechanisms to help the program look at its cleanup issues on a corporate basis and ensure that all program offices are working toward the same goals and leveraging all available resources. The groups are the LLW Corporate Board, the HLW Corporate Board, and the Quality Assurance Corporate Board.

The EM program has evolved into an enduring mission with unique cleanup and high-risk D&D expertise. Given this expertise, other DOE programs have been asked to identify facilities that can be transferred to EM for cleanup and treatment. These transferred facilities are not included in EM's planning and budget assumptions, and are therefore considered to be unfunded liabilities. The motivation behind these transfers is to leverage EM's capabilities and resources (both in terms of facilities and human capital). The unfunded liabilities, with the exception of the RH TRU waste shipments from INL, are not included in the ARRA project funding.

Mr. Marcinowski provided an update on EM's HLW activities. Three major construction projects are currently underway: the WTP at Hanford, the SWPF at SRS, and the Integrated Waste Treatment Unit at INL. The SRS Actinide Removal Process and the Modular Caustic

Side Solvent Extraction Unit (ARP/MCU) operations will continue until the SWPF construction is completed. There are also a few new contracts out for HLW activities. For example, there is a new contract at the Office of River Protection for work on the storage tanks.

Safe shipments of TRU waste have continued. By the end of March, EM will reach its tenth year of contact-handled TRU waste shipments, with well over 7,000 shipments to date. Oak Ridge recently started shipping waste to WIPP, and the NTS TRU waste shipments to INL for processing are close to completion. INL sends approximately 19-20 shipments to WIPP each week. Lastly, EM is actively working to facilitate TRU waste shipments from SRS by next spring, allowing the site to bring its drum program in the TRU waste storage area to completion in 2010.

Mr. Bettencourt stated that SRS has proposed producing canisters with higher radiation criteria than what is currently accepted for loading at the H-Canyon and DWPF. He asked if EM-10 had looked into revising that waste acceptance criteria.

Mr. Marcinowski explained that this is a legal issue and that there is not an opportunity to submit changes to the license at this time.

In terms of metals recycling, EM is developing an RFP to solicit commercial interest in large volumes of decontaminated, declassified nickel at Oak Ridge and Paducah. However, since the program began exploring this opportunity, the nickel market has decreased in value. There are currently over 15,000 tons of nickel at Oak Ridge and Paducah, some of which is still contaminated and considered classified.

Mr. Marcinowski concluded his presentation with an overview of the Department's mercury export ban that controls the import, export, and storage of mercury. EM is responsible for developing an EIS to establish a mercury storage facility.

Public Comments

Mr. Joe Ortaldo, a local citizen, stated the he would like the Chairs to develop advice on the completion of Yucca Mountain. DOE is saddled with the challenge of keeping the public informed and determining what is suitable for public release. Mr. Ortaldo feels that the taxpayers have a right to be informed and receive information from all the federal organizations, even if it is not EM, because the public has no way of knowing who is who. DOE should speak with one voice.

EM SSAB Product Discussion

Ms. Neilson stated that the Chairs could develop a product that encouraged the Assistant Secretary to work closely with other DOE programs on a resolution for the Yucca Mountain issue.

Ms. Leckband volunteered to draft the product and introduce it during the fall EM SSAB Chairs meeting in Idaho. The draft document will also be circulated among the Chairs for prior input.

Ms. Clayton presented a product on the topic of metals recycling that was developed by the Paducah EM SSAB. Following a brief discussion, the product was agreed upon in concept. Each Chair will present the letter to their respective boards for final approval before providing it to the SRS CAB staff for transmittal to the Assistant Secretary.

Dr. Campbell stated that for his product, he requested that Mr. Gilbertson be available for the May Chairs call for input on the issue. At that time, the group will also solicit representatives for a webinar to study the issue further based on Mr. Gilbertson's input for preparation of a future product.

Mr. Lundy presented the revised Oak Ridge product on EM's priority list for the Chairs to discuss. After suggestions and input from the group were obtained, the letter was withdrawn from consideration.

The next two EM SSAB Chairs conference calls are scheduled for May 7 and July 9, 2009, at 3:00 p.m. EST.

The next EM SSAB Chairs meeting is tentatively scheduled for the week of September 21, 2009. Ms. Cimon, Ms. Leckband, Mr. Phelps, and Mr. Lundy volunteered to serve on the steering committee for the fall meeting.

Presentation: "Road to Technology" – Donna Antonucci, Past-Chair, SRS CAB

Ms. Antonucci spoke to the group about the SRS CAB's endeavor to become more technologically savvy. She explained the process of updating the board's website and initiating web meetings to facilitate greater public involvement and reduce the cost of the SRS CAB's operations.

She said the process of simply upgrading the CAB's website was confusing in the beginning because it required establishing a chain of command and passing security requirements for internet website changes. In addition, the proper equipment for the graphic designer needed to be procured and the graphic designer's time was limited. Once completed, the website will have a fresh new look and will utilize new technology. Furthermore, the new website will be easier to navigate and should work seamlessly with all major web browsers.

Ms. Antonucci also described the SRS CAB's committee web meeting initiative. Essentially, committee members are able to collaborate remotely, share documents, and deliver presentations online. Lessons learned include ensuring that there is a reliable Internet connection at the meeting facility, acquiring the proper equipment, and subscribing to a quality Internet meeting provider.

Ms. Nielson and Ms. Brennan thanked all of the participants for a successful meeting, and Ms. Brennan adjourned the proceedings at 11:40 a.m. EST.